

UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

BROOKLYN OFFICE

CHAIRMAN:  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

MEMBERS:  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

DIRECT REPLY TO:

Jeffery N. Luthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

December 29, 2006

Robert C. Heinemann, Clerk  
130 United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached CTO-76)

Dear Mr. Heinemann:

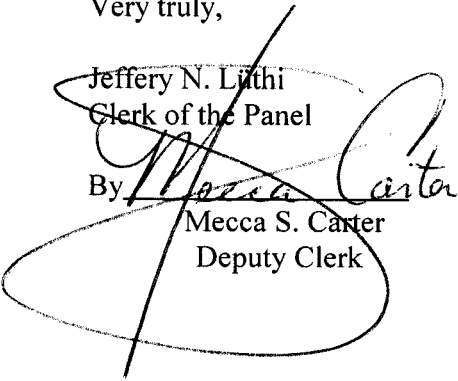
I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on December 13, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Luthi  
Clerk of the Panel

By   
Mecca S. Carter  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Jack B. Weinstein  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Judges)

JPML Form 36

IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

Hon. Sarah Evans Barker  
U.S. District Judge  
210 Birch Bayh Federal Building & U.S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

~~Hon. Bruce D. Black  
U.S. District Judge  
P.O. Box 2085  
Santa Fe, NM 87504~~

Hon. Larry Alan Burns  
U.S. District Judge  
1165 Edward J. Schwartz U.S. Courthouse  
940 Front Street  
San Diego, CA 92101

Hon. Ira DeMent  
Senior U.S. District Judge  
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Montgomery, AL 36102-2149

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Hon. J. Michael Seabright  
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300 Ala Moana Boulevard  
Honolulu, HI 96850-0001

Hon. T. John Ward  
U.S. District Judge  
United States District Court  
100 E. Houston Street  
Marshall, TX 75670

**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

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301 U.S. Courthouse and Post Office Building  
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Texarkana, TX 75501

Debra P. Hackett, Clerk  
U.S. District Court  
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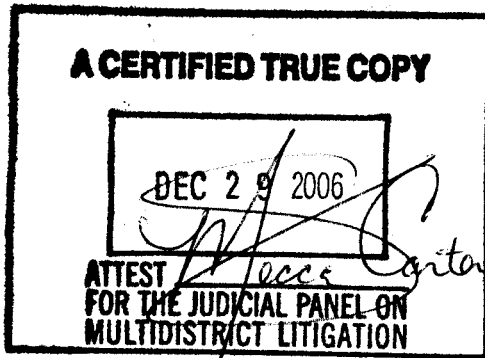
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~~P.O. Box 2384~~  
~~Santa Fe, NM 87504-2384~~

Sue Beitia, Clerk  
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W. Samuel Hamrick, Jr., Clerk  
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880 Front Street  
San Diego, CA 92101-8900



JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DEC 13 2006

FILED  
CLERK'S OFFICE

**DOCKET NO. 1596**

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION***

***(SEE ATTACHED SCHEDULE)***

***CONDITIONAL TRANSFER ORDER (CTO-76)***

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,503 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

**Inasmuch as no objection is  
pending at this time, the  
stay is lifted.**

DEC 29 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-76 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

DIST. DIV. C.A. #

CASE CAPTION

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ALM 2 06-1004

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CALIFORNIA SOUTHERN

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INS 1 06-1605

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NEW MEXICO

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NEW YORK SOUTHERN

NYS 1 06-4963

Alkim Billips v. Eli Lilly & Co., et al.

TEXAS EASTERN

TXE 5 06-230

Brian K. Beavers, et al. v. Eli Lilly & Co.

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Attachment

cc: Transferee Judge: Judge Jack B. Weinstein  
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JPML Form 36

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**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

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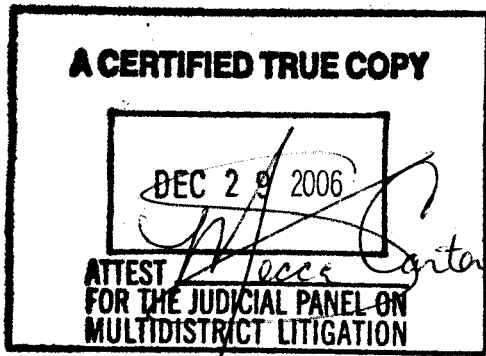
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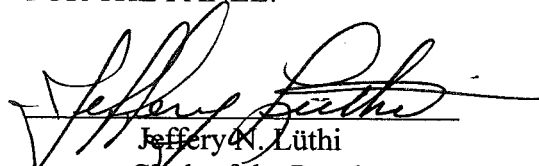
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